

March 9, 1977

LB 268, 308, 489, 479,
491, 492, 38

PRESIDENT: LB 268 passes. Please read on Final Reading LB 308.

ASSISTANT CLERK: LB 308. Read on Final Reading.

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 308 pass? Record your vote. Record.

ASSISTANT CLERK: Record vote read. (See page 765, Journal.) 46 ayes, 0 nays, 2 present and not voting, 1 excused and not voting, Mr. President.

PRESIDENT: LB 308 passes on Final Reading. That completes Final Reading. We have in the South balcony 71 ninth graders from Bloomer Junior High School in Council Bluffs, Iowa. They are over here recruiting football players, I think. We are very happy to have all of you visitors from Iowa. Thank you for coming.

CLERK: Mr. President, your committee on Enrollment and Review reports we have examined and reviewed LB 38 and find the same correctly engrossed; LB 479 and find it correctly enrolled; 491 correctly enrolled and 492 correctly enrolled. Signed Senator Cullan, Chairman.

PRESIDENT: While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LB 492 and LB 491 and LB 479.

CLERK: Mr. President, a Committee on Committees report will meet at noon on Friday, March 18th for purpose of hearing a series of appointments. Mr. President, there is a series of Attorney General opinions which will be inserted in the Legislative Journal. (See pages 767 through 773.) These will all be set out in full in the Legislative Journal. That is all, Mr. President.

PRESIDENT: We go to the special order of the Criminal Code for one hour.

CLERK: Mr. President, when we last considered LB 38, there was under consideration amendments offered by Senator DeCamp. It is identified as his amendment #1 dated March 8, 1977. There was submitted to the DeCamp amendment #1 a motion to amend by Senator Marsh which motion was carried so there is now pending the amendment as identified as amendment #1.

PRESIDENT: Senator Barnett.

SENATOR BARNETT: Mr. President, members of the Legislature, I would like to comment on a letter that I passed out to you this morning explaining the constitutionality of this LB 38. Somebody asked me yesterday and I think I probably answered it wrong and constitutionally suspect is different than unconstitutional. I have learned that overnight and I would like to have the members read that memo that I sent to you so that you might have a better understanding of what the constitutionality of LB 38 is. As far as we are concerned, there is only one section at this time that is unconstitutional. That is all.